

PTO/SB/96 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/773,955 Filed/Issue Date: February 1, 2001Entitled: Mobile Community CommunicatorAgere Systems Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventor(s) To: Lucent Technologies Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel 011553, Frame 0610, or for which a copy thereof is attached.

2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 16, 2004

Date

Wayne L. Ellenbogen, Reg. No. 43,602

Typed or printed name

Signature

Attorney for Applicant(s)

Title

**EXECUTION COPY**

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**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Orltel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

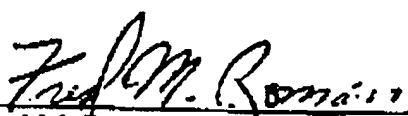
IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy

President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano

President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )  
: ss:  
COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
- b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.

Tamora Anne Hanna

Name **TAMORA ANNE HANNA**  
Notary Public Notary Public of New Jersey  
My Commission ExpiRegisted in Hunterdon County  
[Notarial Seal] My Commission Expires March 25, 20

STATE OF FLORIDA )  
: ss:  
COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and
- b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

Mary V Carter

Name **MARY V CARTER**  
Notary Public  
My Commission Expires:  
[Notarial Seal]



APPENDIX B (continued)  
Transferred Patents (patent disclosures)

IDS No.	Inventors	Subject Matter
121994	Isik C. Kizilyalli; Joseph Rudolph Radosevich	Formation Of Silicon On Insulator (SOI) Devices As An Add On Module For System On A Chip (SOC) Processing
121995	Isik C. Kizilyalli; Pradip Kumar Roy; Joseph Rudolph Radosevich	CMOS Device Fabrication Utilizing Selective Laser Anneal To Form Raised Source Drain Areas
122038	Gregory P Kochanski; Sung Ho Jin	Image Display Comprising Active Mirrors
122044	Scott Jessen; Joseph Ashley Taylor; Isaiah O. Oladeji	Prevention Of Volcano Formation In Dual Damascene Interconnect Scheme With Coral As The Low-K Material
122088	Omkaram Nalamasu; J Frackoviak; Allen G Timko	Lithographic Process For Device Fabrication Using A Two Step Pattern Development
122110	Muhammed Ayman Shbib	Integrated Electrostatic Discharge Protection Device With a Radio-Frequency Lateral Double-Diffused MOS Device
122126	Yiu-Huen Wong; Christopher D W Jones; Donald W Murphy	Process For Making A High Density Capacitor
122159	Anthony Pearson	Mobile Community Communicator
122193	Vivian Wanda Ryan; Seung Hyuk Kang; Yaw Samuel Obeng; Jia Huang; Gerard Zaneski; Anthony Stephen Oates	Test Structures For Monitoring Stress Induced Voids and Interfacial Anomalies Interlevel Plugs In Multilevel Metallizations Schemes
122199	Lai Q Pham; Han Nguyen; Hyun Lee	Self-Synchronized Clock Distribution Scheme in a SoC Using Remote Clock Feedback
122200	Trevor Edward Little; John Susantha Fernando; Hyun Lee	Multi-Source/Multi-Sink Control Signalling Using Toggling Active State For SoC Applications
122203	John Boyett McCluskey; Francois Balay; Shakeel Husein Peera; Barry Kevin Britton; Paul Allen Langner	Reduced Complexity Multi-Channel Protocol Independent Packet Delineation
122205	Trevor Edward Little; John Susantha Fernando; Hyun Lee	Distributed Reset of Multi-Source/Multi-Sink Control Signal Wire for SoC Applications
122206	David Wayne Potter; Michael James Hunter; Hyun Lee	Bidirectional Bus Repeater for SoC: Repeater de External Control Signal
122207	Joseph M. Cannon; James A. Johanson; Philip D Mooney	Cellular Phone Message Waiting Indicator Based On Movement
122210	Simon John Molloy; John Martin McIntosh; Nace Layadi; Thomas Craig Esry; Mario Pita	Method For Patterning Metal With Improved Linewidth Control
122222	Samir Chaudhry; Paul Arthur Layman	Lithographically Defined CMOS Threshold Voltage
122224	John Russell McMacken; Paul Arthur Layman	Chip-on-Chip Image Sensor
122226	Michael James Kelly; Sailesh Chittipeddi	A Technique For Forming CMOS VRG Structures
122233	Paul C Davis; Irving Gilbert Post	A High Voltage, High Speed Charge Pump (Tristate Current Pulse Generator) with Low Digital Interference
122236	John Martin McIntosh; Erik Cho Houge; Fred Anthony Stevie; Terri Lynn Shofner; Larry E. Plew	Mask Evaluation By Stylus Nanoprofilometer - Probe Tip Manufacture By Horizontal FIB Templating

# Delaware

PAGE 1

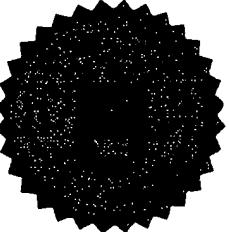
## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION, WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3268412 8100M

020545223

AUTHENTICATION: 1959517

DATE: 08-29-02

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 08/29/2002  
020545223 - 3268412

CERTIFICATE OF OWNERSHIP AND MERGER

OF

Agere Systems Guardian Corp.  
(a Delaware corporation)

INTO

Agere Systems Inc.  
(a Delaware corporation)

UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento  
Paul Bento, Vice President